

## NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

### NOTICE OF SUBSTANTIVE POLICY STATEMENT BOARD OF TECHNICAL REGISTRATION

[M12-69]

**1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**

Direct Supervision for Sampling and Testing; Policy Statement 13

**2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

Issued: January 24, 2012

Effective: January 24, 2012

**3. Summary of the contents of the substantive policy statement:**

The Board's rules provide that Drug Laboratory Site Remediation firms must adhere to the Drug Laboratory Site Remediation Best Standards and Practices pursuant to A.A.C. R4-30-305. Subsection (C)(1) requires post remediation sample testing, and all sampling used to verify that no additional removal or cleaning is required, to be conducted under the direct supervision of a Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer.

The Board interprets the term "direct supervision," as it applies to the sampling and testing during a drug laboratory remediation. Direct supervision requires the Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer to provide direct supervisory control of the sampling activities, including designating the sample locations and ensuring that all sampling and testing procedures are followed in accordance with A.A.C. R4-30-305(C).

**4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

A.R.S. § 32-101(B)(10)

A.A.C. R4-30-305(C)

**5. A statement as to whether the substantive policy statement is a new statement or a revision:**

This Substantive Policy Statement is new.

**6. The name and address of the person to whom questions and comments about the substantive policy statement may be directed:**

Name: Lisa Vardian

Address: 1110 W. Washington St., Suite 240  
Phoenix, AZ 85007

Telephone: (602) 364-4948

Fax: (602) 364-4931

E-mail: [lisa.vardian@azbtr.gov](mailto:lisa.vardian@azbtr.gov)

Web site: <http://www.azbtr.gov>

**7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

This Substantive Policy Statement may be viewed and/or printed from the Board's web site at the following link: [http://www.azbtr.gov/regulations/substantive\\_policy.asp](http://www.azbtr.gov/regulations/substantive_policy.asp) or from the Board office (address above) at \$0.20 per page.